

Exhibit 2 – Golaub Deposition

MICHAEL AERTS vs TRYSTAR ENTERPRISES, LLC
Aaron Golaub on 11/14/2023

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

MICHAEL AERTS,

Plaintiff,

v.

TRYSTAR ENTERPRISES,
LLC,

Defendant.

)
)
)
)
) Civil Action
) No.
) 1:23-cv-1547-AT-CCB
)
) JURY TRIAL DEMANDED
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11

The Videoconference Deposition of
13
Aaron Golaub
14
(Taken by the Plaintiff)
15
Taken Remotely via Zoom
16
November 14, 2023

18 Reported by: Christopher J. Tomko
19 Certified Court Reporter
 Georgia
 License No. 4802-6210-2922-0352

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Aaron Golaub on 11/14/2023

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<p>1 STATE OF GEORGIA</p> <p>2 COUNTY OF FULTON</p> <p>3 VIDEOCONFERENCE DEPOSITION OF AARON GOLLAUB</p> <p>4</p> <p>5 Pursuant to Article 8.B of the RULES AND</p> <p>6 REGULATIONS OF THE BOARD OF COURT REPORTING OF THE</p> <p>7 JUDICIAL COUNCIL OF GEORGIA, I make the following</p> <p>8 disclosure:</p> <p>9 I am a Georgia Certified Court Reporter.</p> <p>10 I am here as a representative of Huseby Global</p> <p>11 Litigation.</p> <p>12 Huseby Global Litigation was</p> <p>13 contacted by the offices of Barrett & Farahany to</p> <p>14 provide court reporting services for this</p> <p>15 videoconference deposition. Huseby Global</p> <p>16 Litigation will not be taking this</p> <p>17 videoconference deposition by O.C.G.A. 15-14-37</p> <p>18 (a) and (b).</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p>1 TRANSCRIPT CODES</p> <p>2</p> <p>3 -- Interruption/Change/Cross-Talk</p> <p>4 . . . Incomplete thought</p> <p>5 (sic) Word/phrase written as said</p> <p>6 (PH) Word spelled phonetically</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11 - - -</p> <p>12 The videoconference deposition of</p> <p>13 Aaron Golaub, taken by the Plaintiff,</p> <p>14 remotely via Zoom, on the 14th day of</p> <p>15 November 2023, at 10:15 a.m., with the</p> <p>16 reading and signing of the deposition</p> <p>17 transcript being waived before Christopher</p> <p>18 J. Tomko, Certified Verbatim Court Reporter</p> <p>19 in and for the State of Georgia.</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>
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<p>1 APPEARANCES OF COUNSEL</p> <p>2</p> <p>3</p> <p>4 ON BEHALF OF THE PLAINTIFF VIA VIDEOCONFERENCE:</p> <p>5 V. SEVERIN ROBERTS</p> <p>6 Attorney-at-Law</p> <p>7 Barrett & Farahany</p> <p>8 P.O. Box 530092</p> <p>9 Atlanta, Georgia 30353</p> <p>10 SEVERIN@JUSTICEATWORK.COM</p> <p>11</p> <p>12 ON BEHALF OF THE DEFENDANT VIA VIDEOCONFERENCE:</p> <p>13 IAN E. SMITH</p> <p>14 Attorney-at-Law</p> <p>15 Spire Law</p> <p>16 1230 Peachtree Street NE</p> <p>17 Suite 1900</p> <p>18 Atlanta, Georgia 30309</p> <p>19 IAN@SPIRELAWFIRM.COM</p> <p>20</p> <p>21 ALSO PRESENT VIA VIDEOCONFERENCE:</p> <p>22 George Shaw</p> <p>23 Althea Shaw</p> <p>24</p> <p>25</p>	<p>1 TRANSCRIPT INDEX</p> <p>2</p> <p>3 Appearances Page 3</p> <p>4 Index to Examinations 6</p> <p>5 Index to Exhibits 7</p> <p>6 Proceedings 8</p> <p>7 Oath 8</p> <p>8 Reporter's Disclosure 2</p> <p>9 Reporter's Certificate 45</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>

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<p style="text-align: right;">Page 6</p> <p>1 INDEX TO EXAMINATIONS</p> <p>2 Examination of Aaron Golaub Page</p> <p>3 Examination by Mr. Roberts 8</p> <p>4</p> <p>5</p> <p>6</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 8</p> <p>1 (The videoconference deposition of Aaron Golaub</p> <p>2 commenced at 10:15 a.m. on</p> <p>3 November 14, 2023.)</p> <p>4 P R O C E E D I N G S</p> <p>5 - - -</p> <p>6 (Whereupon previously without</p> <p>7 objection, it was stipulated and agreed by</p> <p>8 all counsel of record that the court</p> <p>9 reporter has authorization to swear in the</p> <p>10 witness remotely.)</p> <p>11 AARON GOLLAUB,</p> <p>12 having been first duly sworn, testified as</p> <p>13 follows:</p> <p>14 EXAMINATION</p> <p>15 BY MR. ROBERTS:</p> <p>16 Q. Sir, could you state your full name,</p> <p>17 please?</p> <p>18 A. Aaron Golaub.</p> <p>19 Q. And what is your residential address?</p> <p>20 A. It's 2951 Satellite Boulevard, Duluth,</p> <p>21 Georgia, 30096, Apartment 224.</p> <p>22 MR. SMITH: Well, can I just state</p> <p>23 that Mr. Golaub will be testifying with</p> <p>24 respect to Topics 2 and 3 from the 30(b)(6)</p> <p>25 notice?</p>
<p style="text-align: right;">Page 7</p> <p>1 INDEX TO EXHIBITS</p> <p>2 Exhibit Description Page</p> <p>3 Plaintiff's Exhibits</p> <p>4</p> <p>5</p> <p>6 Exhibit 1 Document (Late-filed) 42</p> <p>7 Exhibit 2 Document (Late-filed) 42</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 9</p> <p>1 MR. ROBERTS: Okay.</p> <p>2 BY MR. ROBERTS:</p> <p>3 Q. And where are you currently employed?</p> <p>4 A. I did not hear.</p> <p>5 Can you repeat?</p> <p>6 Q. Where are you currently employed?</p> <p>7 A. I'm one of the partners of Trystar</p> <p>8 Enterprises.</p> <p>9 Q. And how long have you been in -- or how</p> <p>10 long have you been a partner with that business?</p> <p>11 A. From the start, 2014.</p> <p>12 Q. Okay. And were you involved in the</p> <p>13 hiring of the -- Michael Aerts in June of 2022?</p> <p>14 A. Not at the beginning.</p> <p>15 Q. Okay. You understand that there was some</p> <p>16 kind of an incident that occurred on August the 11th</p> <p>17 of last year with Mr. Aerts; is that correct?</p> <p>18 A. Correct.</p> <p>19 Q. Take me through, with as much detail as</p> <p>20 possible, what your understanding as to what</p> <p>21 occurred.</p> <p>22 And what I mean by that is am I to</p> <p>23 understand when -- who first informed you of a</p> <p>24 potential incident? When did they inform you?</p> <p>25 Kind of take me through what happened</p>

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<p style="text-align: right;">Page 10</p> <p>1 with respect to that incident.</p> <p>2 And do you recall ever receiving that</p> <p>3 information?</p> <p>4 A. Okay. I received a phone call from Mr.</p> <p>5 Aerts about an incident. Someone called him a racial</p> <p>6 slur, and he stated that he drives a red truck, so I</p> <p>7 asked him to send me the photos of the truck so I can</p> <p>8 identify who it is. I didn't recognize the truck.</p> <p>9 I reached out to my superiors. They said</p> <p>10 they know who it is, and then I called up Mr. Aerts.</p> <p>11 I asked him, Where are you?</p> <p>12 He said he's still in the same spot just</p> <p>13 sitting. Go -- I'm going to call John, and John's</p> <p>14 going to drop you a pin for a location for you to</p> <p>15 move from that location.</p> <p>16 And I'm going to head there because I was</p> <p>17 anywhere from 40 minutes to an hour out from where --</p> <p>18 the location. So they went ahead and -- I guess, he</p> <p>19 went ahead and leave the location where the incident</p> <p>20 happened.</p> <p>21 So while he was driving, he called me</p> <p>22 back, and he was explaining how the guy hit the truck</p> <p>23 and -- but there's no damage.</p> <p>24 Then I asked him, Where did he hit it?</p> <p>25 What did he use to hit the truck?</p>	<p style="text-align: right;">Page 12</p> <p>1 He said, He called me the N-word.</p> <p>2 I said, That's not good. So I said,</p> <p>3 Okay. What else?</p> <p>4 He said, He threatened to shoot me in the</p> <p>5 face.</p> <p>6 And I said, Well, you need to go file a</p> <p>7 police report.</p> <p>8 And that's when I got on the phone. I</p> <p>9 called -- I didn't call Andrew. I called Andrew's</p> <p>10 boss and said, Hey, we cannot work with this</p> <p>11 conditions, someone calling my guy the N-word.</p> <p>12 And he said, I'll take care of it.</p> <p>13 And that was it.</p> <p>14 That guy was immediately fired that same</p> <p>15 day after that situation. Mike left and went to the</p> <p>16 police station. He went to Opelika because that's</p> <p>17 where we was.</p> <p>18 Opelika said, No. He has to go to</p> <p>19 Tuskegee, which is around 40 minutes' drive to an</p> <p>20 hour -- 45 -- it depends on traffic.</p> <p>21 He reached -- when he got there, he</p> <p>22 called me and said, I do not know the person's name.</p> <p>23 So I called Andrew. Andrew gave us the</p> <p>24 name to give to Mr. Aerts while filing the report.</p> <p>25 He asked me for the name of the company, which I</p>
<p style="text-align: right;">Page 11</p> <p>1 He said, He punched it.</p> <p>2 And I said, Okay. Don't worry about it.</p> <p>3 Just meet John, and I will be there.</p> <p>4 So I was on my way there when Andrew</p> <p>5 Thompson, which is the supervisor, called me.</p> <p>6 He said, You need to hurry up and get</p> <p>7 here.</p> <p>8 And I asked him, What's going on?</p> <p>9 He said, Because Mike won't leave this</p> <p>10 guy Lee alone.</p> <p>11 And I said, I thought they moved.</p> <p>12 He said, Yeah. Lee was dropping off some</p> <p>13 cable or something out there -- sorry -- at the</p> <p>14 location that John and Andrew and Mike was.</p> <p>15 So I told him, I'm getting off the exit,</p> <p>16 so I should be there in less than 60 seconds.</p> <p>17 I got there. I called Mike. I said, You</p> <p>18 need to stop putting fuel to the fire. Let's go.</p> <p>19 He said -- he turned and said, He just</p> <p>20 needs to apologize for what he said.</p> <p>21 And I'm like, Let's go. We're down here.</p> <p>22 We're working. Let's move to the cabinet so we can</p> <p>23 sort this out. Now, we eventually moved from that</p> <p>24 location and -- somewhere where we can talk and get a</p> <p>25 full understanding of what was going on.</p>	<p style="text-align: right;">Page 13</p> <p>1 don't remember. I gave him the name. He asked me</p> <p>2 for the address of the business.</p> <p>3 (Reporter asked for clarification.)</p> <p>4 THE WITNESS: Supervisors don't get</p> <p>5 information about the business.</p> <p>6 (Reporter asked for clarification.)</p> <p>7 THE WITNESS: Correct, and I stated, I</p> <p>8 don't have it. Andrew was working and</p> <p>9 trying to get the address and any</p> <p>10 information we can get on this guy to give</p> <p>11 to him while he was at the police station.</p> <p>12 So we got him the name, and I think John</p> <p>13 sent him the tag of the vehicle he was</p> <p>14 driving.</p> <p>15 So it took him around -- he was left</p> <p>16 for a couple of hours to file his police</p> <p>17 report.</p> <p>18 On his way back, he said, I'll file a</p> <p>19 report. He should have it in a week or so.</p> <p>20 He can pick up a copy.</p> <p>21 And I said, Okay.</p> <p>22 We got back to the same location where</p> <p>23 we meet after the incident because it was</p> <p>24 closer -- it's like an in-between meeting</p> <p>25 location to the hotel.</p>

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<p style="text-align: right;">Page 14</p> <p>1 And I -- we're talking, and I said,</p> <p>2 Hey, how you feeling? You okay? You good?</p> <p>3 He said, Yeah, I'm good. I wish he</p> <p>4 would have just apologized, and I would</p> <p>5 have dropped this.</p> <p>6 I said, Well, you know, there's not</p> <p>7 much I can do or nothing, but if there's</p> <p>8 anything I can do to make you feel any</p> <p>9 different.</p> <p>10 He said, No. We're good. Let's just</p> <p>11 go to the hotel.</p> <p>12 He had some beer in the fridge. He's</p> <p>13 going to go ahead and -- he's going to call</p> <p>14 it a day.</p> <p>15 I said, Okay.</p> <p>16 And we left it at that and moved on.</p> <p>17 BY MR. ROBERTS:</p> <p>18 Q. Let me show you a document and ask you a</p> <p>19 couple questions. One second.</p> <p>20 A. Yes, sir.</p> <p>21 (An item was displayed for all parties to</p> <p>22 view.)</p> <p>23 BY MR. ROBERTS:</p> <p>24 Q. So this is a document that was produced</p> <p>25 by your employer -- or not -- by you -- your company</p>	<p style="text-align: right;">Page 16</p> <p>1 Q. Okay. And you're basing that on what</p> <p>2 Angel (sic) Thompson told you; is that correct?</p> <p>3 A. Correct.</p> <p>4 Q. Okay. And Angel Thompson works for</p> <p>5 the -- well, how do you pronounce it -- Comtrac --</p> <p>6 with --</p> <p>7 (Cross-talk.)</p> <p>8 THE WITNESS: Comtrac.</p> <p>9 (Cross-talk.)</p> <p>10 BY MR. ROBERTS:</p> <p>11 Q. Go ahead.</p> <p>12 A. Yeah. Andrew Thompson. He's the field</p> <p>13 supervisor at that time on-site.</p> <p>14 Q. Okay. And he's employed by Comtrac?</p> <p>15 A. Correct.</p> <p>16 Q. Okay. And this other company that Lee</p> <p>17 worked for -- that Lee owned, that was someone that</p> <p>18 does fiber splicing as well?</p> <p>19 A. No. As far as I know, he is an aerial</p> <p>20 construction company.</p> <p>21 Q. And what company is that?</p> <p>22 A. I don't recall the name of his company.</p> <p>23 But we know he does aerial construction. It's a</p> <p>24 large project. We don't know everyone.</p> <p>25 Q. Yeah.</p>
<p style="text-align: right;">Page 15</p> <p>1 in this case.</p> <p>2 Have you seen this before?</p> <p>3 A. That's the written statement. Let's see.</p> <p>4 John Gardner.</p> <p>5 Q. Okay. And obviously, this was done --</p> <p>6 this was an e-mail that was sent during this</p> <p>7 litigation back in --</p> <p>8 A. Correct.</p> <p>9 Q. -- earlier this year; is that correct?</p> <p>10 A. A detailed information of what happened.</p> <p>11 Q. Okay. And do you see in the sentence --</p> <p>12 it reads: The owner of the other company, Lee, was</p> <p>13 trying to explain the miscommunication, so Lee was</p> <p>14 the person that is accused of calling Mr. Aerts a</p> <p>15 racial slur; is that correct?</p> <p>16 A. Correct.</p> <p>17 Q. And Lee was the owner of that business?</p> <p>18 A. As far as I know, he is. I have no</p> <p>19 communication with him.</p> <p>20 Q. Okay. How is it he was fired? Are you</p> <p>21 saying his company was fired from the jobsite?</p> <p>22 A. His company was terminated -- his</p> <p>23 contract -- because of the racial slur that Michael</p> <p>24 Aerts said he -- what he called him, and the company</p> <p>25 was terminated that same day.</p>	<p style="text-align: right;">Page 17</p> <p>1 And then if we go forward, Mr. Aerts was</p> <p>2 terminated on September the 1st; is that correct?</p> <p>3 A. Correct. He received a notice of</p> <p>4 termination on that day.</p> <p>5 Q. Okay. And what was the first day that</p> <p>6 you discussed terminating Mr. Aerts' employment with</p> <p>7 Mr. Shaw?</p> <p>8 A. A few days before.</p> <p>9 Q. Okay. And is that -- and is a few days</p> <p>10 before the termination the first time you discussed</p> <p>11 terminating Mr. Aerts' employment with anybody?</p> <p>12 A. We -- I spoke to John previously about</p> <p>13 his training, and -- but I never spoke to John fully</p> <p>14 about when or what, so John was his immediate</p> <p>15 supervisor, so I would take the information John gave</p> <p>16 me, and then I sum it all up.</p> <p>17 Q. Okay. And did you consult with Mr.</p> <p>18 Gardner about terminating Mr. Aerts?</p> <p>19 A. On that day?</p> <p>20 Q. At any point.</p> <p>21 A. Previously.</p> <p>22 Q. Did you tell Mr. Gardner that you were</p> <p>23 going to terminate Mr. Aerts?</p> <p>24 A. Didn't directly tell him that I'm going</p> <p>25 to terminate him. We spoke about his performance.</p>

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<p style="text-align: right;">Page 18</p> <p>1 Q. Okay. What day did you speak about his</p> <p>2 performance?</p> <p>3 A. It's -- one of the first times we would</p> <p>4 speak about his performance is somewhere around in</p> <p>5 the -- around a week, we had another conversation</p> <p>6 about his performance. A week prior to termination,</p> <p>7 we had spoken about performance.</p> <p>8 Q. Okay. So the first time there was a</p> <p>9 discussion regarding Mr. Aerts' job performance was a</p> <p>10 week before his termination?</p> <p>11 A. Not that -- no. Not the first time.</p> <p>12 But when it's gotten -- so I took over</p> <p>13 training Mr. Aerts because he wasn't performing.</p> <p>14 Q. Okay. When did you take over training of</p> <p>15 Mr. Aerts?</p> <p>16 A. So me and Mr. Aerts start around -- I</p> <p>17 would say probably the 6th of August, I started -- we</p> <p>18 gave him a vehicle and a stopwatch, and I --</p> <p>19 throughout the day, I will go and help, so -- and</p> <p>20 that's how everything went.</p> <p>21 Q. And is your testimony that you did not</p> <p>22 inform Mr. Gardner that you were letting Mr. Aerts go</p> <p>23 until after you had terminated Mr. Aerts?</p> <p>24 A. Correct. So I didn't tell him I was</p> <p>25 terminating Mr. Aerts that day, when he was</p>	<p style="text-align: right;">Page 20</p> <p>1 Q. Okay. And if we look here, it says, On</p> <p>2 September the 1st at 8:27 a.m., They fired ya boy.</p> <p>3 Didn't give me a reason.</p> <p>4 Did I read that correctly?</p> <p>5 A. No, I don't see where they said, They</p> <p>6 fired your boy.</p> <p>7 Oh, sorry. I see it. And yes, they --</p> <p>8 Q. If we go back, we have John Gardner</p> <p>9 responding, What the fuck? For real?</p> <p>10 A. Yeah.</p> <p>11 Q. I'm shortening the what the fuck with</p> <p>12 WTF; is that correct?</p> <p>13 A. Correct.</p> <p>14 Q. Okay. And then below that, it says,</p> <p>15 Yeah. Couldn't give me a reason. Then Aaron had</p> <p>16 George fire me, not himself.</p> <p>17 And then if we go below that, and then it</p> <p>18 says, Damn, bro. You told him there was no</p> <p>19 improvement.</p> <p>20 You understand that, on September the</p> <p>21 1st, there was later an e-mail sent to Mr. Aerts,</p> <p>22 which gives an alleged reason for terminating him?</p> <p>23 A. I don't -- an e-mail? No. I don't have</p> <p>24 that conversation.</p> <p>25 Q. Give me one second.</p>
<p style="text-align: right;">Page 19</p> <p>1 terminated.</p> <p>2 Q. Let me show you another document and ask</p> <p>3 you some questions.</p> <p>4 MR. SMITH: Are you marking that</p> <p>5 document, Severin?</p> <p>6 MR. ROBERTS: No.</p> <p>7 (An item was displayed for all parties to</p> <p>8 view.)</p> <p>9 BY MR. ROBERTS:</p> <p>10 Q. Okay. Can you see this okay, sir?</p> <p>11 A. Yes.</p> <p>12 Q. Okay. I take it you've seen these text</p> <p>13 messages before, haven't you?</p> <p>14 A. Correct.</p> <p>15 Q. I take you've --</p> <p>16 A. Yes.</p> <p>17 Q. -- seen them in the last week, haven't</p> <p>18 you?</p> <p>19 A. Correct.</p> <p>20 Q. Yeah.</p> <p>21 And in these text messages, the Bates</p> <p>22 stamp is Aerts' 31 and 32.</p> <p>23 You understand that these are text</p> <p>24 messages between John Gardner and Michael Aerts?</p> <p>25 A. Correct.</p>	<p style="text-align: right;">Page 21</p> <p>1 (An item was displayed for all parties to</p> <p>2 view.)</p> <p>3 BY MR. ROBERTS:</p> <p>4 Q. Okay. Can you see this?</p> <p>5 A. (Witness reviewed document.)</p> <p>6 Yeah. Termination letter.</p> <p>7 Q. Yeah.</p> <p>8 And the date of this is -- and I'm</p> <p>9 willing to -- I'm marking this as an exhibit.</p> <p>10 This is an e-mail that was sent to</p> <p>11 Michael Aerts at 1:57 p.m. on September the 1st of</p> <p>12 2022; is that correct?</p> <p>13 A. Correct.</p> <p>14 Q. And it says, We have unfortunately</p> <p>15 decided to end your tenure with Trystar. This is due</p> <p>16 to lack of improvement in your training. Secondly,</p> <p>17 the lack of dependability, which has caused the</p> <p>18 company great inconvenience.</p> <p>19 Did I read that correctly?</p> <p>20 A. Correct.</p> <p>21 Q. And these are the alleged reasons for</p> <p>22 which Trystar claims it then terminated Mr. Mike --</p> <p>23 Mr. Aerts?</p> <p>24 A. Yes, sir.</p> <p>25 Q. Okay. And if we go back where we were --</p>

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Aaron Golaub on 11/14/2023

<p style="text-align: right;">Page 22</p> <p>1 I wanted to show you that. We'll go back to where we</p> <p>2 were. One second.</p> <p>3 (An item was displayed for all parties to</p> <p>4 view.)</p> <p>5 BY MR. ROBERTS:</p> <p>6 Q. If we go back here, it would appear that,</p> <p>7 at 2:22 p.m., about 25 minutes after this e-mail, Mr.</p> <p>8 Aerts reached back out to John Gardner.</p> <p>9 Does that look correct?</p> <p>10 A. Correct.</p> <p>11 Q. He says, Damn, bro. You told him there</p> <p>12 was no improvement in my training?</p> <p>13 Did I read that correctly?</p> <p>14 A. Yes.</p> <p>15 Q. And then below that, Mr. Gardner</p> <p>16 responds, I wasn't consulted in that decision</p> <p>17 whatsoever.</p> <p>18 Did I read that correctly?</p> <p>19 A. Correct.</p> <p>20 Q. Okay. Is that a true -- is it fair to</p> <p>21 say you didn't consult Mr. Gardner in any way?</p> <p>22 A. In the firing?</p> <p>23 Q. Sure.</p> <p>24 A. He was not consulted that day about</p> <p>25 firing Mr. Aerts.</p>	<p style="text-align: right;">Page 24</p> <p>1 Q. Can you think of any other instance in</p> <p>2 which you have fired someone on Mr. Gardner's team</p> <p>3 without telling Mr. Gardner before making the</p> <p>4 termination?</p> <p>5 A. He would be the first person.</p> <p>6 Q. Mr. Aerts would be the first time you've</p> <p>7 done that?</p> <p>8 A. Yeah. We -- our splicers don't really</p> <p>9 quit. They last long -- or we don't have to fire.</p> <p>10 He was in training.</p> <p>11 Q. Okay.</p> <p>12 A. And he was just not grasping the work.</p> <p>13 Q. Okay. How many splicers have you</p> <p>14 terminated in the last two years?</p> <p>15 A. Two years? Probably two that I can</p> <p>16 remember.</p> <p>17 Q. Okay. And how many splicers had you</p> <p>18 fired during that time period?</p> <p>19 A. I'm not sure.</p> <p>20 Q. Okay. But again, you've never -- there's</p> <p>21 -- you cannot think of a single incident other than</p> <p>22 Mr. Aerts in which you have terminated someone on Mr.</p> <p>23 Gardner's team without first telling Mr. Gardner</p> <p>24 you're going to make the termination?</p> <p>25 MR. SMITH: Objection to form.</p>
<p style="text-align: right;">Page 23</p> <p>1 Q. Was he ever consulted?</p> <p>2 A. We communicated about his performance</p> <p>3 numerous times.</p> <p>4 Q. Okay. Tell me --</p> <p>5 A. So I --</p> <p>6 Q. I mean, so -- just so you understand,</p> <p>7 you've been asked to identify -- you're now -- you've</p> <p>8 been designated to speak on behalf of the company</p> <p>9 with respect to two different topics in our</p> <p>10 deposition notice today.</p> <p>11 A. Correct.</p> <p>12 Q. One of those topics -- and let's do this.</p> <p>13 Before we get to that, what are the dates</p> <p>14 that you claim you talked to Mr. Gardner about Mr.</p> <p>15 Aerts' performance?</p> <p>16 A. I don't have the specific dates because</p> <p>17 we speak almost every evening about issues goes (sic)</p> <p>18 on in the field and performance, then how's (sic)</p> <p>19 everyone is doing. So Mr. Gardner was off when Mike</p> <p>20 was fired.</p> <p>21 Q. Is it normal for you to fire people on</p> <p>22 someone's team without telling their supervisor?</p> <p>23 A. It's our team. It's -- I did it. I'm</p> <p>24 the one who makes the final decision as firing. John</p> <p>25 is the field supervisor, immediate field supervisor.</p>	<p style="text-align: right;">Page 25</p> <p>1 BY MR. ROBERTS:</p> <p>2 Q. You can answer.</p> <p>3 A. I didn't hear you.</p> <p>4 Q. You cannot identify a single incident in</p> <p>5 which you fired someone on Mr. Gardner's team without</p> <p>6 first telling him you were going to do so, apart from</p> <p>7 Mr. Aerts?</p> <p>8 MR. SMITH: Same objection.</p> <p>9 THE WITNESS: I -- I --</p> <p>10 BY MR. ROBERTS:</p> <p>11 Q. You can answer. There's nothing --</p> <p>12 anytime that he can land an objection -- but you're</p> <p>13 still required to answer the question.</p> <p>14 So you can answer it.</p> <p>15 A. I wouldn't say Mr. Gardner's team. It's</p> <p>16 the company.</p> <p>17 Q. I hear you.</p> <p>18 A. Mr. Gardner --</p> <p>19 Q. Okay. I'm simply asking -- you've</p> <p>20 already answered it. I just want it very clear.</p> <p>21 There is not another incident in which</p> <p>22 you have fired someone that was on the team that Mr.</p> <p>23 Gardner is on without first telling Mr. Gardner that</p> <p>24 that was going to happen, except --</p> <p>25 A. No. I've not -- or fired anyone before</p>

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<p style="text-align: right;">Page 26</p> <p>1 because Mr. Gardner had just started supervising the</p> <p>2 team.</p> <p>3 Q. Okay. When did Mr. Gardner start</p> <p>4 supervising the team?</p> <p>5 A. It was the project. He was the project</p> <p>6 lead for that project when we started it. I can't</p> <p>7 remember the date when we started it, but he was the</p> <p>8 project lead on that, so I was on it also, working.</p> <p>9 Q. Okay. And then we looked at just a</p> <p>10 little while an e-mail that was sent to Mr. Aerts on</p> <p>11 September 1st at 1:57 p.m.</p> <p>12 Do you recall --</p> <p>13 A. Correct.</p> <p>14 Q. Right?</p> <p>15 Mr. Aerts was an hourly, apprentice-level</p> <p>16 worker; is that correct?</p> <p>17 A. Correct. He's a apprentice.</p> <p>18 Q. Is your company in the business of</p> <p>19 providing e-mails to terminate people and giving them</p> <p>20 reasons in the e-mail?</p> <p>21 MR. SMITH: Objection to form.</p> <p>22 BY MR. ROBERTS:</p> <p>23 Q. You can answer.</p> <p>24 A. Repeat your question.</p> <p>25 Q. It seems to me very bizarre that an</p>	<p style="text-align: right;">Page 28</p> <p>1 A. I would have to check with the office to</p> <p>2 verify those because I don't --</p> <p>3 Q. But you can supplement for -- you can</p> <p>4 identify people that have been given reasons for</p> <p>5 their termination in e-mails?</p> <p>6 You can find that information; correct?</p> <p>7 A. Yeah. We should be able to.</p> <p>8 Q. Okay. So with respect to the reasons for</p> <p>9 Mr. Aaron's termination.</p> <p>10 Let me do this. Give me one second.</p> <p>11 (An item was displayed for all parties to</p> <p>12 view.)</p> <p>13 BY MR. ROBERTS:</p> <p>14 Q. I asked you a little while ago whether</p> <p>15 the -- was put in this e-mail here, this September</p> <p>16 1st e-mail that identifies purported reasons for the</p> <p>17 -- this termination.</p> <p>18 You've stated this is -- this accurately</p> <p>19 describes what you consider to be the reasons for Mr.</p> <p>20 Aerts' termination; is that correct?</p> <p>21 A. Correct.</p> <p>22 Q. Okay. So looking at lack of improvement</p> <p>23 in training.</p> <p>24 Did you ever speak to Mr. Aerts about a</p> <p>25 lack of improvement in his training before firing</p>
<p style="text-align: right;">Page 27</p> <p>1 hourly apprentice was given an e-mail letting him --</p> <p>2 giving him reasons for his termination.</p> <p>3 So what I'm asking you is: Can you think</p> <p>4 of any other incident in which you as -- your</p> <p>5 business -- has e-mailed an apprentice worker with</p> <p>6 reasons for their termination?</p> <p>7 A. Everyone we -- as far as we know, we have</p> <p>8 to give someone a reason why we're terminating them,</p> <p>9 and that was his reason.</p> <p>10 Q. I'm talking about the concept of</p> <p>11 e-mailing that to them.</p> <p>12 Why did you send an e-mail to Mr. Aerts?</p> <p>13 A. When someone quits, you give them -- you</p> <p>14 give them a termination letter.</p> <p>15 Q. Can you identify any other people that</p> <p>16 have received an e-mail giving them reasons for their</p> <p>17 termination?</p> <p>18 A. I would have to check that with the</p> <p>19 office because I'm pretty sure we e-mail everyone</p> <p>20 that term- -- was terminated.</p> <p>21 Q. Okay. As you sit here today, can you</p> <p>22 identify an e-mail?</p> <p>23 A. I can't recall all of the e-mails that</p> <p>24 goes out.</p> <p>25 Q. Okay.</p>	<p style="text-align: right;">Page 29</p> <p>1 him?</p> <p>2 A. We speak multiple times about his</p> <p>3 training, and he -- you know, he -- it --</p> <p>4 (Reporter asked for clarification.)</p> <p>5 BY MR. ROBERTS:</p> <p>6 Q. You muted yourself.</p> <p>7 Okay?</p> <p>8 A. Can you hear me?</p> <p>9 Q. Yes.</p> <p>10 A. Okay. We spoke verbally multiple times</p> <p>11 about his training. We're a small company. We don't</p> <p>12 really have the resource to write up every incident</p> <p>13 that happened, but we speak numerous times about --</p> <p>14 Q. So when did you --</p> <p>15 A. -- about --</p> <p>16 Q. What dates did you speak with Mr. Aerts?</p> <p>17 A. So around -- I would say -- a date around</p> <p>18 the 4th or the 5th of August. I would speak to him</p> <p>19 about previous mistakes he made the day before on a</p> <p>20 location he was, and then he went ahead and made the</p> <p>21 same mistake again, and he actually wrote it -- wrote</p> <p>22 me a message saying I know I effed up again.</p> <p>23 So -- and I said to him, John spoke to</p> <p>24 you about it, so that's it. I'll -- John will take</p> <p>25 care of the situation because I was in a different</p>

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<p style="text-align: right;">Page 30</p> <p>1 market at the time.</p> <p>2 Q. Okay. Apart from that, any other times</p> <p>3 in which you spoke with Mr. Aerts regarding --</p> <p>4 A. Yes. After that incident, he constantly</p> <p>5 making the same mistakes over and over. We're like,</p> <p>6 What's going on?</p> <p>7 So I started the training in the last few</p> <p>8 -- I would say few weeks of his term. Up to his</p> <p>9 termination, he was working with me directly,</p> <p>10 training, and he keep making the same mistakes over</p> <p>11 and over.</p> <p>12 I'm like, Mike, come on. I'm teaching</p> <p>13 you this stuff today. And tomorrow, you come; you</p> <p>14 forget it. What's on your mind? This job is very</p> <p>15 important because we have to meet our -- we have</p> <p>16 deadlines, and we have to be prompt.</p> <p>17 When someone told us to be on-site at a</p> <p>18 certain time, we have to be there. We have to get</p> <p>19 the job done. So you have to be disciplined to be</p> <p>20 able to perform this job.</p> <p>21 Q. Which job are you referring to?</p> <p>22 A. Splicing. Because I was training him to</p> <p>23 see -- hopefully he gets better at it.</p> <p>24 Q. When using the term this is an important</p> <p>25 job, what --</p>	<p style="text-align: right;">Page 32</p> <p>1 And it's basically saying, Hey, at this location,</p> <p>2 we're going to splice fiber 4 two fiber 144.</p> <p>3 So you have to learn the different counts</p> <p>4 and the different colors. And when we give him</p> <p>5 instructions -- we gave him charts and stuff -- he</p> <p>6 keep making mistakes because he would not look at</p> <p>7 charts.</p> <p>8 Basically, he's doing what he's doing,</p> <p>9 and if you splice the wrong fiber to the wrong</p> <p>10 customer, then we have an issue. The network won't</p> <p>11 work, and it'll take us hours to track down the</p> <p>12 mistake because we're dealing with miles of cable.</p> <p>13 So we have to start from the main hub and try to</p> <p>14 troubleshoot it back, and that's where he was lacking</p> <p>15 performance and not receiving the training that both</p> <p>16 me and John was giving him because he was -- he keep</p> <p>17 making the same mistakes over and over again.</p> <p>18 Q. Okay. And with respect to this, quote,</p> <p>19 Lack of dependability, what do you mean by that?</p> <p>20 A. Well, lack of dependability -- he always</p> <p>21 has something going on -- calling out.</p> <p>22 Q. Okay. So what --</p> <p>23 A. Like, he was supposed to --</p> <p>24 (Cross-talk.)</p> <p>25 THE WITNESS: Go ahead.</p>
<p style="text-align: right;">Page 31</p> <p>1 A. The splicing is a very important job</p> <p>2 because we deal with network. So when we take</p> <p>3 someone's network down, we have to put it back in a</p> <p>4 time -- in a timely manner. So that's what we do.</p> <p>5 Q. Okay.</p> <p>6 A. We splice, and we build networks.</p> <p>7 Q. And Mr. Golaub, please, when I'm -- make</p> <p>8 sure I get to ask the full question before you</p> <p>9 answer -- that the court reporter has a terrible time</p> <p>10 when we interrupt each other. I'm trying not to</p> <p>11 interrupt you, and --</p> <p>12 A. All right. Unless you're getting --</p> <p>13 Q. I know, again, you're not trying to do</p> <p>14 anything. I'm just trying to make sure we -- let me</p> <p>15 finish the question before you start answering.</p> <p>16 A. Okay.</p> <p>17 Q. Okay. So let's break that apart.</p> <p>18 What are the issues -- what specifically</p> <p>19 -- I want to know the issues he was having with</p> <p>20 improving in training specifically?</p> <p>21 A. Okay. Specifics is we deal with colors</p> <p>22 and numbers. So when we send you to a location, it's</p> <p>23 -- I -- it's best way I can explain it -- I don't</p> <p>24 know if it makes sense to you because you're not in</p> <p>25 this field -- is we send you to splice two cables.</p>	<p style="text-align: right;">Page 33</p> <p>1 BY MR. ROBERTS:</p> <p>2 Q. Let me finish the question before you</p> <p>3 answer it, please.</p> <p>4 What dates did he call out?</p> <p>5 A. So he called out on the -- let me look at</p> <p>6 my calendar.</p> <p>7 So August, he called out at -- that's 23.</p> <p>8 In there -- in the e-mail where he keeps texting me,</p> <p>9 asking for days off, so.</p> <p>10 August 8th, he was supposed to show up at</p> <p>11 work. He didn't show up.</p> <p>12 August 9th, he didn't show up. He asked</p> <p>13 some more time off.</p> <p>14 Q. So you're looking at -- what notes are</p> <p>15 you looking at?</p> <p>16 A. I'm looking at my calendar.</p> <p>17 (Witness indicating.)</p> <p>18 Q. Okay. Do you have specific notes you put</p> <p>19 in there to help you with your deposition today?</p> <p>20 A. No. I just know the dates because they</p> <p>21 were in the text message that you have.</p> <p>22 Q. Okay. So you're saying he called out on</p> <p>23 August 8th and 9th?</p> <p>24 A. Correct.</p> <p>25 Q. Okay. What other dates?</p>

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<p style="text-align: right;">Page 34</p> <p>1 A. And there is two more times he called</p> <p>2 out -- something to -- he had an emergency. He</p> <p>3 always having emergency, so he barely work a full</p> <p>4 week because he's -- there's always something.</p> <p>5 Q. And then --</p> <p>6 A. But that's --</p> <p>7 Q. Did you ask him to go to a jobsite in</p> <p>8 South Carolina somewhere around August the 16th?</p> <p>9 A. No. Not ask him to go to a job. He was</p> <p>10 already. When we worked in a -- the training is</p> <p>11 basically in the southeast. So we training all</p> <p>12 markets. We move from markets to markets.</p> <p>13 So I didn't say, Hey, you need to go to</p> <p>14 South Carolina.</p> <p>15 Q. You deny asking Mr. Aerts to go to a</p> <p>16 jobsite in South Carolina?</p> <p>17 A. Yes. I didn't ask him that week because</p> <p>18 he wasn't ready to -- he only could rode -- travel</p> <p>19 with me and John, so wherever me and John worked,</p> <p>20 that's where he works.</p> <p>21 Q. And so you never asked Mr. Aerts to go to</p> <p>22 a jobsite in South Carolina?</p> <p>23 A. I never asked him to go down to South</p> <p>24 Carolina. We spoke about all the different markets.</p> <p>25 We will start in Opelika, and then we went to</p>	<p style="text-align: right;">Page 36</p> <p>1 MR. ROBERTS: He's already testified</p> <p>2 to that.</p> <p>3 BY MR. ROBERTS:</p> <p>4 Q. Back in August of 2022, did you have any</p> <p>5 need to send help to the South Carolina jobsite?</p> <p>6 A. No.</p> <p>7 Q. Okay.</p> <p>8 A. No, sir.</p> <p>9 Q. Okay. And you did not ask Mr. Aerts to</p> <p>10 go to the South Carolina jobsite?</p> <p>11 A. No, sir. Not in August --</p> <p>12 Q. So what happened?</p> <p>13 A. -- or ever.</p> <p>14 Q. Okay.</p> <p>15 A. We spoke about all the different markets.</p> <p>16 Q. Okay. But for clarity, at no point did</p> <p>17 you ever ask Mr. Aerts to go to the South Carolina</p> <p>18 jobsite; is that correct?</p> <p>19 A. We spoke about all the markets we worked</p> <p>20 in.</p> <p>21 So I've never asked him specifically, I</p> <p>22 need you to go to South Carolina.</p> <p>23 No. Because he would have to travel with</p> <p>24 me or John if I do that because we never needed help.</p> <p>25 Q. Okay. And where was that South Carolina</p>
<p style="text-align: right;">Page 35</p> <p>1 Savannah, but he would always -- John and I had</p> <p>2 stopped working in South Carolina months before.</p> <p>3 Q. Okay. So did you not have a job starting</p> <p>4 in South Carolina at that time?</p> <p>5 A. We do have a jobsite there, but there is</p> <p>6 someone there taking care of it, and if they ever</p> <p>7 need help, they would call us, and we'll go in and</p> <p>8 help.</p> <p>9 Q. And did you need help at that job --</p> <p>10 South Carolina jobsite at that time back in --</p> <p>11 A. No. We never did.</p> <p>12 (Reporter asked for clarification and</p> <p>13 reminded the parties to speak one at a time.)</p> <p>14 THE WITNESS: I am waiting. He's</p> <p>15 paused. He's paused, so I'm not sure -- so</p> <p>16 that's why I keep saying I'm cutting him</p> <p>17 off.</p> <p>18 BY MR. ROBERTS:</p> <p>19 Q. I'll repeat the question, Mr. Golaub.</p> <p>20 A. Yeah.</p> <p>21 Q. So in August of '22, last year, you did</p> <p>22 not have any need to send help to the South Carolina</p> <p>23 jobsite?</p> <p>24 MR. SMITH: Objection to form.</p> <p>25 THE WITNESS: No, sir.</p>	<p style="text-align: right;">Page 37</p> <p>1 jobsite?</p> <p>2 A. It's somewhere in the South Carolina and</p> <p>3 Georgia border. Rocks Hill (PH)? Greensboro (PH)?</p> <p>4 Somewhere. It's a long road they're working a long</p> <p>5 stretch of, so I don't have a specific address.</p> <p>6 Q. And take me through when you decided to</p> <p>7 -- first, let me break this apart.</p> <p>8 You decided to terminate Mr. Aerts a few</p> <p>9 days before you actually terminated him; is that</p> <p>10 correct?</p> <p>11 A. Correct. I thought about it. He's a</p> <p>12 very good, fast talker.</p> <p>13 He's like, I can do this. I can do</p> <p>14 better and stuff like that.</p> <p>15 And I was like, Okay. Mike, let's -- you</p> <p>16 know -- we're going down to Savannah. I'll meet you</p> <p>17 there.</p> <p>18 And we were supposed to meet at 7:00 a.m.</p> <p>19 He didn't -- he called me after 1:00.</p> <p>20 Said, Mike, Can't help you.</p> <p>21 I mean, you were supposed to be here</p> <p>22 earlier because you knew the situation.</p> <p>23 He said, Yeah, but I'm urgent stuff</p> <p>24 (sic).</p> <p>25 I said, Okay. Go ahead.</p>

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<p style="text-align: right;">Page 38</p> <p>1 Q. And so then when you decided -- first</p> <p>2 off, is it your position that you made the decision</p> <p>3 to terminate Mr. Aerts?</p> <p>4 A. Yes. So I made the decision, and I</p> <p>5 called my business partner and informed him that he</p> <p>6 needs to receive the van. In this business, our</p> <p>7 peoples (sic) steal your tools, and stuff. So we</p> <p>8 want to make sure we get back all of our stuff. And</p> <p>9 we fired him at the office because it's a lot of very</p> <p>10 expensive tools in that truck.</p> <p>11 Q. And you were there when Mr. Aerts was</p> <p>12 terminated?</p> <p>13 A. No. I was not present.</p> <p>14 Q. You were not physically there?</p> <p>15 A. No, I was not.</p> <p>16 Q. Why were you not there?</p> <p>17 A. I was driving back to town.</p> <p>18 Q. So you asked Mr. Shaw to perform the</p> <p>19 termination; is that correct?</p> <p>20 A. Correct.</p> <p>21 Q. Okay. And you did that despite the fact</p> <p>22 that you were the one with more information as to why</p> <p>23 you're saying it was being done?</p> <p>24 A. Yes. He was following my instruction.</p> <p>25 Q. Okay. Why didn't you sit down with Mr.</p>	<p style="text-align: right;">Page 40</p> <p>1 written documentation that you counseled Mr. Aerts</p> <p>2 prior to his termination?</p> <p>3 A. Only verbal.</p> <p>4 (Reporter asked for clarification.)</p> <p>5 MR. ROBERTS: He said only verbal, but</p> <p>6 maybe -- let me ask it again.</p> <p>7 BY MR. ROBERTS:</p> <p>8 Q. Mr. Golaub, there isn't any documentation</p> <p>9 of you counseling Mr. Aerts on his job performance,</p> <p>10 is there?</p> <p>11 MR. SMITH: Objection to form.</p> <p>12 BY MR. ROBERTS:</p> <p>13 Q. But you can answer the question.</p> <p>14 A. Okay. Only verbal because there -- also,</p> <p>15 it was done in the field verbally.</p> <p>16 Q. Uh-huh.</p> <p>17 And I believe you said you're a small</p> <p>18 business, earlier, that doesn't document well or</p> <p>19 something like that?</p> <p>20 A. No. I didn't say doesn't document well.</p> <p>21 I said, you don't have the resource sometimes to</p> <p>22 print write-ups in the field, so we do it verbally.</p> <p>23 Q. But you did have the resources to e-mail</p> <p>24 an hourly worker with multiple reasons for his</p> <p>25 alleged -- multiple alleged reasons for his</p>
<p style="text-align: right;">Page 39</p> <p>1 Aerts to let him know he was being fired?</p> <p>2 A. I wasn't in town at the moment, and we</p> <p>3 wanted to get it out the way because we had just</p> <p>4 finished the project, and I was driving back, and I</p> <p>5 stopped to rest.</p> <p>6 Q. How far away from the place in which he</p> <p>7 was fired -- how far away from the termination</p> <p>8 location were you?</p> <p>9 A. En route, five hours.</p> <p>10 Q. Okay. When you say you began working</p> <p>11 more closely with -- and I heard it. You began</p> <p>12 working more closely with Mr. Aerts in August of</p> <p>13 2022; is that correct?</p> <p>14 A. Can you repeat your --</p> <p>15 Q. Did you begin working more closely with</p> <p>16 Mr. Aerts yourself in August of '22?</p> <p>17 A. Correct.</p> <p>18 Q. Okay. In the month of August, how many</p> <p>19 days did you actually work on-site with Mr. Aerts?</p> <p>20 A. I was pretty much -- it's hard to say</p> <p>21 because I was there most of the time. I would say</p> <p>22 because I was the one checking his work daily. After</p> <p>23 he -- we assigned him a task, if I don't get to check</p> <p>24 it the same day, I'll check it the following day.</p> <p>25 Q. And of course, there's not any kind of</p>	<p style="text-align: right;">Page 41</p> <p>1 termination; right?</p> <p>2 MR. SMITH: Objection to form.</p> <p>3 BY MR. ROBERTS:</p> <p>4 Q. Anytime there's -- you can still answer</p> <p>5 the question, Mr. Golaub.</p> <p>6 A. I'll pass.</p> <p>7 Q. You had time to send an e-mail to an</p> <p>8 hourly worker with multiple reasons for terminating</p> <p>9 him; is that correct?</p> <p>10 MR. SMITH: Again. Same objection.</p> <p>11 BY MR. ROBERTS:</p> <p>12 Q. It's a very simple question, Mr. Golaub.</p> <p>13 Your company elected to send an e-mail to</p> <p>14 an apprentice-level splicer, identifying multiple</p> <p>15 reasons for why he was being terminated; is that</p> <p>16 correct?</p> <p>17 MR. SMITH: Same objection.</p> <p>18 You can answer, Aaron, if you can</p> <p>19 answer.</p> <p>20 THE WITNESS: Yes.</p> <p>21 BY MR. ROBERTS:</p> <p>22 Q. I don't think I have anything further.</p> <p>23 Give me just a second.</p> <p>24 No. I don't have anything further.</p> <p>25 Thank you.</p>

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<p>1 MR. SMITH: No questions.</p> <p>2 (Reporter asked for clarification.)</p> <p>3 MR. ROBERTS: There are two exhibits.</p> <p>4 We have -- Exhibit 1 will be the e-mail</p> <p>5 from September the 1st, 2022. That is the</p> <p>6 note -- the termination e-mail.</p> <p>7 And then the Exhibit 2 will be the</p> <p>8 text messages between John Gardner and the</p> <p>9 plaintiff, Michael Aerts.</p> <p>10 (Plaintiff's Exhibit Nos. 1 and 2 were</p> <p>11 marked for identification.)</p> <p>12 MR. SMITH: Counsel, can we identify</p> <p>13 them by Bates number?</p> <p>14 MR. ROBERTS: Well, I don't actually</p> <p>15 think you have Bates numbers on your</p> <p>16 documents, which we let you do. My</p> <p>17 apologies.</p> <p>18 MR. SMITH: They are.</p> <p>19 MR. ROBERTS: The number -- the</p> <p>20 termination e-mail is Number 11 -- Page 11,</p> <p>21 defendant's production.</p> <p>22 And then the Gardener text messages</p> <p>23 were produced by the plaintiff rather than</p> <p>24 the defendant, and those are Aerts' 31 and</p> <p>25 -- through -3, I believe.</p>	<p align="center">CERTIFICATE</p> <p>1 State of Georgia</p> <p>2 COUNTY OF FULTON</p> <p>3</p> <p>4 I, Christopher J. Tomko, Certified Court</p> <p>5 Reporter, certify that the foregoing transcript is</p> <p>6 a true, correct, and complete record of the</p> <p>7 testimony given by the deponent, Aaron Golaub, who</p> <p>8 was first duly sworn by me; that I am not a</p> <p>9 relative, employee, attorney, or counsel of any of</p> <p>10 the parties; nor financially interested in the</p> <p>11 action; that the said deponent and counsel in the</p> <p>12 presence of each other and before me and waived the</p> <p>13 reading and signing of the deposition; and the</p> <p>14 original deposition under seal shall be filed with</p> <p>15 the court by the attorney taking the deposition.</p> <p>16 This certificate is expressly withdrawn</p> <p>17 and denied upon disassembly and/or photocopying of</p> <p>18 the foregoing transcript, or any portion thereof,</p> <p>19 unless such disassembly or photocopying is done by</p> <p>20 the undersigned Certified Court Reporter and</p> <p>21 original signature and official seal is attached</p> <p>22 hereto.</p> <p>23 WITNESS my hand and seal at FULTON County,</p> <p>24 GEORGIA, this, the 14th day of NOVEMBER 2023.</p> <p>25</p> <p align="center"><i>Christopher Tomko</i></p> <hr/> <p>Christopher J. Tomko Certified Court Reporter Georgia License No. 4802-6210-2922-0352</p>
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<p>1 MR. SMITH: The e-mail is Exhibit 1,</p> <p>2 and the second is Exhibit 2?</p> <p>3 MR. ROBERTS: Yeah.</p> <p>4 MR. SMITH: Okay.</p> <p>5 THE REPORTER: Okay. You want to go</p> <p>6 off the record?</p> <p>7 MR. ROBERTS: Yeah.</p> <p>8 (Whereupon off the record, the witness</p> <p>9 waived the right to read, review, and sign</p> <p>10 the transcript of the above proceedings.)</p> <p>11 (The videoconference deposition of Aaron Golaub</p> <p>12 adjourned at 11:02 a.m. on November 14, 2023.)</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p>1</p> <p>2</p> <p>3</p> <p>4</p> <p>5</p> <p>6</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>

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